

Please type a plus sign (+) inside this box → +

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|  |  |   |  |
|--|--|---|--|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><br><small>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</small> |  | <b>Attorney Docket No.</b> 18133-158                            |  |
|  |  | <b>First Inventor</b> David J. Smith, et al.                    |  |
|  |  | <b>Title</b> USER INTERFACE PROVISIONING                        |  |
|  |  | <b>Express Mail Label No.</b> EV328709362US; September 23, 2003 |  |

**APPLICATION ELEMENTS**  
See MPEP chapter 600 concerning utility patent application contents.

- 1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- 2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
- 3. ☒ Specification [Total Pages 21]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- 4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
- 5. Oath or Declaration Total Pages 3
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- 6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
  
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*  
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*

- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
  - i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

- 9. ☒ Assignment Papers (cover sheet & document(s))
- 10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
- 11. ☐ English Translation Document *(if applicable)*
- 12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- 13. ☐ Preliminary Amendment
- 14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- 15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- 16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- 17. ☐ Other:

**18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:**

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: \_\_\_\_ / \_\_\_\_

Prior application information: Examiner \_\_\_\_

Group / Art Unit: \_\_\_\_

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label

30623

☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

|                          |                       |                                  |                    |
|--------------------------|-----------------------|----------------------------------|--------------------|
| <b>Name (Print/Type)</b> | Shane H. Hunter, Esq. | <b>Attorney Registration No.</b> | 41,858             |
| <b>Signature</b>         |                       | <b>Date</b>                      | September 23, 2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

|                      |                     |
|----------------------|---------------------|
| Application Number   | N/A                 |
| Filing Date          | September 23, 2003  |
| First Named Inventor | David Smith, et al. |
| Examiner Name        | N/A                 |
| Group / Art Unit     | N/A                 |
| Attorney Docket No.  | 18133-158           |

**TOTAL AMOUNT OF PAYMENT** (\$) 1,156.00**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

50-0311

Deposit  
Account  
Name

Mintz, Levin, Cohn, Ferris, Glovsky &amp; Popeo, P.C.

- ☐ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description        | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101                  | 740                   | 201                  | 370                   | Utility filing fee     | 750.00   |
| 106                  | 330                   | 206                  | 165                   | Design filing fee      |          |
| 107                  | 510                   | 207                  | 255                   | Plant filing fee       |          |
| 108                  | 740                   | 208                  | 370                   | Reissue filing fee     |          |
| 114                  | 160                   | 214                  | 80                    | Provisional filing fee |          |

**SUBTOTAL (1)**

(\$ 750.00)

**2. EXTRA CLAIM FEES**

| Total Claims          | ** | = | Extra<br>Claims | X | Fee from<br>below | = | Fee<br>Paid |
|-----------------------|----|---|-----------------|---|-------------------|---|-------------|
| 31                    |    |   | 11              |   | 18                |   | 198         |
| Independent<br>Claims |    |   | 5               |   | 84                |   | 168         |
| Multiple<br>Dependent |    |   |                 |   |                   |   | 0           |

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  |
|----------------------|-----------------------|----------------------|-----------------------|--|
| 103                  | 18                    | 203                  | 9                     | Claims in excess of 20                                     |
| 102                  | 84                    | 202                  | 42                    | Independent claims in excess of 3                          |
| 104                  | 280                   | 204                  | 140                   | Multiple dependent claim, if not paid                      |
| 109                  | 84                    | 209                  | 42                    | ** Reissue independent claims over original patent         |
| 110                  | 18                    | 210                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)**

(\$ 366)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large<br>Entity<br>Fee<br>Code | Large<br>Entity<br>Fee<br>(\$) | Small<br>Entity<br>Fee<br>Code | Small<br>Entity<br>Fee<br>(\$) | Fee Description  | Fee Paid |
|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--|----------|
| 105                            | 130                            | 205                            | 65                             | Surcharge - late filing fee or oath  |          |
| 127                            | 50                             | 227                            | 25                             | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                            | 130                            | 139                            | 130                            | Non-English specification  |          |
| 147                            | 2,520                          | 147                            | 2,520                          | For filing a request for reexamination                                     |          |
| 112                            | 920*                           | 112                            | 920*                           | Requesting publication of SIR prior to Examiner action                     |          |
| 113                            | 1,840*                         | 113                            | 1,840*                         | Requesting publication of SIR after Examiner action                        |          |
| 115                            | 110                            | 215                            | 55                             | Extension for reply within first month                                     |          |
| 116                            | 400                            | 216                            | 200                            | Extension for reply within second month                                    |          |
| 117                            | 920                            | 217                            | 460                            | Extension for reply within third month                                     |          |
| 118                            | 1,440                          | 218                            | 720                            | Extension for reply within fourth month                                    |          |
| 128                            | 1,960                          | 228                            | 980                            | Extension for reply within fifth month                                     |          |
| 119                            | 320                            | 219                            | 160                            | Notice of Appeal   |          |
| 120                            | 320                            | 220                            | 160                            | Filing a brief in support of an appeal                                     |          |
| 121                            | 280                            | 221                            | 140                            | Request for oral hearing   |          |
| 138                            | 1,510                          | 138                            | 1,510                          | Petition to institute a public use proceeding                              |          |
| 140                            | 110                            | 240                            | 55                             | Petition to revive - unavoidable   |          |
| 141                            | 1,280                          | 241                            | 640                            | Petition to revive - unintentional   |          |
| 142                            | 1,280                          | 242                            | 640                            | Utility issue fee (or reissue)   |          |
| 143                            | 460                            | 243                            | 230                            | Design issue fee   |          |
| 144                            | 620                            | 244                            | 310                            | Plant issue fee  |          |
| 122                            | 130                            | 122                            | 130                            | Petitions to the Commissioner  |          |
| 123                            | 50                             | 123                            | 50                             | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 126                            | 180                            | 126                            | 180                            | Submission of Information Disclosure Stmt                                  |          |
| 581                            | 40                             | 581                            | 40                             | Recording each patent assignment per property (times number of properties) | 40       |
| 146                            | 740                            | 246                            | 370                            | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                            | 740                            | 249                            | 370                            | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                            | 740                            | 279                            | 370                            | Request for Continued Examination (RCE)                                    |          |
| 169                            | 900                            | 169                            | 900                            | Request for expedited examination of a design application                  |          |

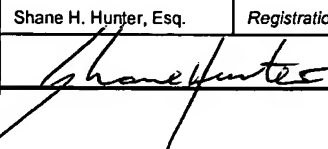
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 40)

**SUBMITTED BY****Complete (if applicable)**

|                   |   |                                  |        |           |                    |
|-------------------|---|----------------------------------|--------|-----------|--------------------|
| Name (Print/Type) | Shane H. Hunter, Esq.   | Registration No. Attorney/Agent) | 41,858 | Telephone | 617-348-1661       |
| Signature         |  |                                  |        | Date      | September 23, 2003 |

Attorney Docket No. 18133-158

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David J. Smith, et al.  
Filed: HEREWITH, September 23, 2003 Examiner: Not yet assigned  
Serial No. Not yet assigned Art Unit: Not yet assigned  
For: USER INTERFACE PROVISIONING


Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i)**

Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. §122(b).

Respectfully submitted,

  
Shane H. Hunter  
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Attorneys for Applicants

Date: September 23, 2003

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